

U.S. Serial No. 10/661,681  
Amendment Dated December 23, 2004  
Response To Office Action Dated August 24, 2004

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### REMARKS

The pending application was filed on September 12, 2003 with claims 1-17. The Examiner issued a Non-Final Office Action dated August 24, 2004 rejecting claims 1-4, 6, 9-12, 14, and 17 and objecting to claims 5, 7, 8, 13, 15, and 16 while indicating that these claims 5, 7, 8, 13, 15, and 16 would be allowable if rewritten in independent form including all of the claim limitations of the base claim and any intervening claims. In particular, the Examiner rejected claims 1-3, 9-11, and 17 under 35 U.S.C. §102 as being anticipated, and therefore unpatentable, in view United States Patent No. 2,314,289 to *Salisbury*, rejected claims 1-9 under 35 U.S.C. §102 as being anticipated by Russian Patent No. 779,592, and rejected claims 1-9 under 35 U.S.C. §102 as being anticipated by United States Patent No. 838,358 to *Rotter*. The Examiner also rejected claims 4 and 12 under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 2,314,289 to *Salisbury* in view of United States Patent No. 3,867,060 or Russian Patent No. 1,159,970 and rejected claims 6 and 14 under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 2,314,289 to *Salisbury* in view of United States Patent No. 5,234,318 to *Brandon*.

Claims 2-9 and 11-17 remain pending in the patent application, and claim 18 has been added. Claims 1 and 10 have been canceled without prejudice. Claims 2-7, 9, 11-15, and 17 have been amended and are now allowable. In view of the arguments described below, claims 2-9, and 11-18 are allowable, and the Examiner is respectfully requested to withdraw the rejections and issue a Notice of Allowance.

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## **I. INFORMATION DISCLOSURE STATEMENT**

The Examiner indicated that the information disclosure statement filed September 12, 2003 failed to include a complete copy of foreign reference GB 2,381,048 and therefore, fails to comply with 37 CFR 1.98(a)(2). Enclosed is a complete copy of Published United States Patent Application No US 2004/0200642 A1, which claims priority to GB 2,381,048.

## **II. SPECIFICATION**

The Examiner requested that on Page 2, Line 24, the word "peaming" be replaced with "peening." Appropriate correction has been made.

## **III. EXAMINER'S SUGGESTION REGARDING CLAIM LANGUAGE**

The Examiner suggested that the preamble of claim 10 be amended. Claim 10 has been canceled without prejudice. Thus, the issue is moot.

## **IV. REJECTIONS OF CLAIMS 1-3, 9-11, AND 17 UNDER 35 U.S.C. §102 AND CLAIMS 4, 6, 12, AND 14 UNDER 35 U.S.C. §103(a)**

The Examiner rejected claims 1-3, 9-11, and 17 under 35 U.S.C. §102 as being anticipated by United States Patent No. 2,314,289 to *Salisbury*, rejected claims 1 and 9 under 35 U.S.C. §102 as being anticipated by Russian Patent No. 779,592, and rejected claims 1 and 9 under 35 U.S.C. §102 as being anticipated by United States Patent No. 838,358 to

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*Rotter*. The Examiner also rejected claims 4 and 12 under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 2,314,289 to *Salisbury* in view of United States Patent No. 3,867,060 or Russian Patent No. 1,159,970 and rejected claims 6 and 14 under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 2,314,289 to *Salisbury* in view of United States Patent No. 5,234,318 to *Brandon*.

The claims have been amended in accordance with the suggestions made by the Examiner. Specifically, claims 5 and 7 have been rewritten to include all of the limitations of base claim 1. In addition, claims 5 and 7 have been rewritten to incorporate some of the limitations in claim 10, from which allowable claims 13, 15, and 16 depend. For instance, claims 5 and 7 have been rewritten such that the limitation "a turbine blade assembly having at least one stage formed from a plurality of shrouded turbine blades" has been replaced with "at least one shrouded turbine blade," as shown in independent claim 10. Claims 2-4, 6, 9, 15, 16 now depend directly or indirectly from claim 5, and claims 8, 11-14, 17-18 now depend directly or indirectly from claim 7. Claims 1 and 10 have been canceled without prejudice. Thus, claims 2-9 and 11-18 are patentable, and the Examiner is respectfully requested to withdraw the rejection and issue a Notice of Allowance.

#### V. NEW CLAIM

New claim 18 depends from rewritten, allowable claim 7. New claim 18 is believed to be patentable for at the reason that claim 7 has been rewritten in accordance with the Examiner's suggestion.

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### CONCLUSION

For at least the reasons given above, claims 2-9 and 11-18 define patentable subject matter and are thus allowable. The undersigned representative thanks the Examiner for examining this application.

Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is respectfully requested to contact the undersigned representative at the telephone number listed below.

No fees in addition to the one-month extension of time fee are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 50-0951.

Respectfully submitted,



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Attorney Docket No.: 2003P13117US

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